

Appl. No. : 09/943,483
Filed : August 29, 2001

REMARKS

In the Final Office Action mailed September 11, 2006, the Examiner rejects Claims 7-9, 12, 13, 15-21, and 33 under 35 USC § 103(a) as being unpatentable over Fitzgerald (U.S. Patent No. 1,847,605) in view of Neal (U.S. Patent No. 5,779,317).

Fitzgerald and Neal References

Applicant notes that Fitzgerald does not teach at least the following: a main body of a sign holder; integral retainers that extend contiguously from the main body; and a padding. In fact, it appears that in Fitzgerald, the spring and hook assembly (Figure 10) and some structure (such as a connecting rod 22 of an automobile in Figure 11, and a back portion 25 of a chair in Figure 12) form the sign card retainer. Furthermore, Fitzgerald appears to emphasize the configuration of the hook assemblies attached to the ends of the spring, thereby allowing the spring and hook assembly to secure, from behind, a sign to various shaped structures. Thus, Applicant respectfully submits that Fitzgerald does not teach, contemplate, nor suggest the combination of features as recited in the amended forms of independent Claims 7 and 15.

Applicant further notes that Neal emphasizes a particular method of providing a removable padded portion to the back rest portion and the seat portion. Specifically, great emphasis is placed on the concept of a raised locator area (item 5 for the seat back, and item 4 for the seat portion, in Figure 1) that allows alignment and cooperation of the corresponding attachment holes 12 on the padded parts (11 and 30 in Figures 2 and 5) and the attachment holes 7 on the seat back and the seat portion (Figure 1). Thus, Neal teaches a concept of precise matching of the padded parts to the seat back and the seat portion by a combination of the raised locator and the matching attachment holes. Neal achieves such precision by providing generally unnatural protrusions on the seat back and the seat portion, as well as requiring use of multiple fasteners that extend through the seat back and the seat portion.

Applicant notes that Neal does *not* disclose or suggest any other method of attaching the padded portion to the back rest portion or the seat portion. In particular, Neal does not suggest the concept of hook-shaped retainers that extend from the main body of the padded sign.

Based at least on the foregoing, Applicant respectfully submits that the combination of features recited in independent Claims 7 and 15 are not disclosed or suggested by any

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combination of Fitzgerald and Neal. Thus, Applicant respectfully submits that Claims 7 and 15 are patentable over Fitzgerald and Neal. Moreover, the rejected dependent claims include additional limitations; and thus are patentable for at least the foregoing reasons.

CONCLUSION

For the foregoing reasons, reconsideration of the above-identified application in light of the amendments and remarks contained herein is respectfully requested. Should there be any impediment to the allowance of this application that could be resolved by a telephone call, the Examiner is respectfully requested to call the undersigned at the telephone number shown below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: _____

12/18/06

By: _____

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AMEND

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